C-482 No. 203 of 2005

Hon'ble B.S. Verma, J.

Heard Sri Navneet Kaushik learned counsel for the applicant and Sri Vivek Shukla, learned counsel for the respondent no. 3 and learned G.A.

On depositing a sum of Rs. 1,07,000/- in the Court of Special Judicial Magistrate-II, Haridwar District Haridwar, the applicant shall be at liberty to adduce the evidence. An opportunity is given to him to produce entire defence evidence on the date fixed, if the applicant moves an application to summon the income tax record as well as record of the bank.

The Special Judicial Magistrate-II, Haridwar is directed to pass an appropriate order to summon the evidence from the authorities concerned.

The Special Judicial Magistrate is further directed to decide the case within a period of two months from today.

In case the aforesaid amount is not deposited by the applicant within a period of seven days, this order shall stand vacated.

With the aforesaid direction, application is disposed of finally.

Certified copy of the order may be given today to the learned counsel for the appellant on payment of usual charges.

Sd/-

15.04.2005

Rahour